

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

JEFFREY T. IWINSKI,

Plaintiff,

vs.

MICHAEL J. ASTRUE

Commissioner of Social Security,

Defendant

Civil No. C07-05521RBL

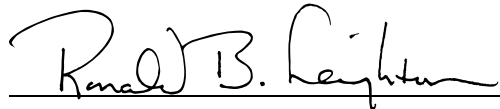
ORDER FOR REMAND

Based on the stipulation of the parties it is hereby ORDERED that the above-captioned case, including the reopening of Plaintiff's subsequent application, be reversed and remanded for further administrative proceedings by a different Administrative Law Judge (ALJ). On remand, the ALJ will evaluate, upon notice and an opportunity to be heard, whether good cause exists for reopening the favorable determination on Plaintiff's subsequent application. If the ALJ decides not to reopen or does not provide good cause to reopen the subsequent determination, that favorable determination shall continue to remain final, and the period at issue before the ALJ will be limited to the period prior to the onset date established by the subsequent favorable

1 determination. The ALJ will also evaluate Plaintiff's mental impairments in accordance with the  
2 regulations; evaluate all opinions and all impairments; and obtain further vocational expert  
3 testimony.  
4

5 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g), and  
6 Plaintiff is entitled to reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412(d), upon  
7 proper request to this Court.

8 DATED this 17<sup>th</sup> day of March, 2008.  
9

10  
11   
12

13 RONALD B. LEIGHTON  
14 UNITED STATES DISTRICT JUDGE

15 Recommended for Entry:

16 /s/ J. Kelley Arnold  
17 UNITED STATES MAGISTRATE JUDGE

18 Presented by:

19  
20 s/ CAROL A. HOCH WSB # 9289  
21 Special Assistant U.S. Attorney  
22 Attorney for Defendant  
23 Office of the General Counsel  
24 701 Fifth Ave, Ste 2900, M/S 901  
25 Phone: 206-615-2684  
26 Fax: 206-615-2531  
27 carol.a.hoch@ssa.gov